



TeraLūm

JFW

Director: USPTO
Mail Stop: Director
P.O. Box 1450
Alexandria, VA 22313-1450

March 2, 2005

RE: Application Number 10/810,460

Dear Director,

This is a petition to withdraw a holding of abandonment in the above referenced application under 37 CFR 1.181(a).

Ajay R. Jain is the inventor and TeraLūm is the assignee in this matter. The patent application was filed on March 26, 2004 with the following correspondence address:

Ajay R. Jain
200 Western Ave.
Brattleboro, VT 05301-6221

This is the address of the corporate offices and where other mail addressed to Ajay Jain, a member of TeraLūm LLC, is received on a regular basis.

A return receipt postcard was included in the application and this was received at this address. However, as several months elapsed without receipt of a confirmation, I applied for and received a customer number about a month ago. Using the customer number, I looked up the status of the application and discovered that a Notice to File Missing Parts of Non-Provisional Application and the Acknowledgment of Receipt had been mailed on June 8, 2004 to the correspondence address, but were returned as 'undeliverable' by the US Postal Service. Furthermore, the two month period for paying the fee under the Notice had elapsed.

I subsequently contacted USPTO to cure the problem but was referred to an electronic phone system to request the appropriate form. Unfortunately, the form I received last week was for trademark cases.

I again called USPTO today and was informed that I could file this petition under 37 CFR 1.181(a).

Looking forward to your response.

Sincerely,

John McPherson, CEO